

Honorable Judge Richard A. Jones

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

CRIMINAL PRODUCTIONS, INC.,

Plaintiff,

v.

DIANNA STRAND, an individual;
MARY-CAROL HUTSON, an
individual; MICHAEL STOKER, an
individual; SUZANNE STARK, an
individual; PHILIP BROWN, an
individual; MICHAEL GREEN, an
individual; KELLY TALLARITI, an
individual; JEREMY BRUCE, an
individual; DAVID JOYAL, an
individual; JASON MOLTE, an
individual; MARIA HULL, an individual;

Defendants.

No. 16-cv-1177RAJ

ANSWER AND AFFIRMATIVE
DEFENSES OF DEFENDANT
MARY-CAROL HUTSON

TO: Clerk of the Court

AND TO: Lowe Graham Jones, Attorneys for Plaintiff

ANSWER

W. Tracy Codd, for Defendant Mary-Carol Hutson, answers and alleges
as follows, by paragraph of Plaintiff's Claim;

ANSWER AND AFFIRMATIVE DEFENSE OF
DEFENDANT MARY-CAROL HUTSON -- Page 1

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WSBA #16745

1 I. Defendant is without sufficient information to respond, therefore
2 denied;
3

4 2. Admitted;

5 3. Admitted;

6 4. Admitted in part and denied in part. Venue is proper as alleged
7 in sentence #1. With respect to sentence #2, Defendant is without sufficient
8 information to respond, therefore denied. Specifically, it is denied that Defendant
9 distributed and offered to distribute over the internet copyrighted works for which
10 Plaintiff has exclusive rights;
11

12 5. On information and belief, admitted;

13 6. On information and belief, admitted;

14 7. On information and belief, admitted;

15 8. On information and belief, admitted;

16 9. Denied.

17 10. Denied in part. Defendant does own an IP address that is
18 alleged to have improperly downloaded copyrighted material, however Defendant
19 was not the sole party responsible for and in control of the IP address. The
20 information referenced in this paragraph does not correctly reflect the subscriber
21 using the IP address assigned to her.
22

23 11. On information and belief, admitted;

24 12. Defendant is without sufficient information to respond, therefore
25 denied;
26

27 13. Defendant is without sufficient information to respond, therefore
28 denied;
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30 14. On information and belief, admitted;

31 15. On information and belief, admitted;

32 16. On information and belief, admitted;

33 ANSWER AND AFFIRMATIVE DEFENSE OF
34 DEFENDANT MARY-CAROL HUTSON -- Page 2

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1 17. Paragraph does not call for a response.

2 18. Defendant is without sufficient information to respond, therefore
3
4 denied;

5 19. On information and belief, admitted. Defendant does reside at
6 13206 12th Avenue South, Burien, Washington along with several other people
7
8 with access to the IP address;

9 20. On information and belief, admitted;

10 21. On information and belief, admitted;

11 22. On information and belief, admitted;

12 23. On information and belief, admitted;

13 24. On information and belief, admitted;

14 25. On information and belief, admitted;

15 26. On information and belief, admitted;

16 27. On information and belief, admitted;

17 28. On information and belief, admitted;

18 29. Defendant is without sufficient information to respond, therefore
19
20
21 denied;

22 30. Defendant is without sufficient information to respond, therefore
23
24 denied;

25 31. Denied as to Defendant Mary-Carol Hutson. Regarding other
26
27 Defendants. Defendant is without sufficient information to respond, therefore
28
29 denied;

30 32. Defendant is without sufficient information to respond, therefore
31
32 denied;

33 33. Defendant is without sufficient information to respond, therefore
34
denied;

1 34. Defendant is without sufficient information to respond, therefore
2 denied;

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4 35. Defendant is without sufficient information to respond, therefore
5 denied;

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7 36. Defendant is without sufficient information to respond, therefore
8 denied;

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10 37. Defendant is without sufficient information to respond, therefore
11 denied;

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13 38. Defendant is without sufficient information to respond, therefore
14 denied;

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16 39. Defendant is without sufficient information to respond, therefore
17 denied;

18 40. Defendant is without sufficient information to respond to the
19 first portions of the paragraph, therefore denied; Section (c) is denied.

20 41. Admitted.

21 42. Paragraph does not call for a response;

22 43. On information and belief, admitted;

23 44. On information and belief, admitted;

24 45. Denied as to Defendant Mary-Carol Hutson. For other
25 Defendants, Defendant is without sufficient information to respond therefore
26 denied;

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28 46. Denied as to Defendant Mary-Carol Hutson. For other
29 Defendants, Defendant is without sufficient information to respond therefore
30 denied;

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32 47. Denied as to Defendant Mary-Carol Hutson. For other
33 Defendants, Defendant is without sufficient information to respond therefore
34

1 denied;

2
3 48. Denied as to Defendant Mary-Carol Hutson. For other
4 Defendants, Defendant is without sufficient information to respond therefore
5 denied;

6
7 49. Denied as to Defendant Mary-Carol Hutson. For other
8 Defendants, Defendant is without sufficient information to respond therefore
9 denied;

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11 50. Denied as to Defendant Mary-Carol Hutson. For other
12 Defendants, Defendant is without sufficient information to respond therefore
13 denied;

14
15 51. Denied as to Defendant Mary-Carol Hutson. For other
16 Defendants, Defendant is without sufficient information to respond therefore
17 denied;

18
19 52. Denied as to Defendant Mary-Carol Hutson. For other
20 Defendants, Defendant is without sufficient information to respond therefore
21 denied;

22
23 WHEREFORE, Defendant Mary-Carol Hutson prays that Plaintiff's
24 First Amended Complaint sections A through F be dismissed with prejudice and
25 with attorney's fees and costs as allowed under rule, statute or equity.

26
27 **AFFIRMATIVE DEFENSE**

28 Defendant Mary-Carol Hutson avers and alleges as follows:

29 Plaintiff has failed to name an indispensable party as required by
30 Rule 19.

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32 WHEREFORE, Defendant Mary-Carol Hutson prays that Plaintiff's First
33 Amended Complaint be dismissed with prejudice and with attorney's fees and
34 costs as allowed under rule, statute or equity.

1 Dated this 15 day of Nov, 2016.

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4 W. TRACY CODD
5 Attorney for Defendant
6 Mary-Carol Hutson
7 WSBN 16745
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ANSWER AND AFFIRMATIVE DEFENSE OF
DEFENDANT MARY-CAROL HUTSON -- Page 6

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